

ATTORNEY GENERAL
OF WASHINGTON

OCT 18 2004

GOVERNMENT & FINANCE
ELECTRICITY DIVISION

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT
ACTION AGAINST

JEFFERSON COUNTY REPUBLICAN
CENTRAL COMMITTEE

Respondent

PDC CASE NO. 04-288

STIPULATION OF THE PARTIES AS
TO AGREED FACTS AND EXHIBITS

COME NOW the undersigned attorneys, on behalf of their respective clients, and state that they are authorized to enter into this Stipulation. The parties stipulate that the following may be admitted as agreed facts for all purposes in this proceeding:

1. On July 21, 2003, Mark Rose filed a candidate registration with the Public Disclosure Commission (Form C-1) declaring his candidacy for Jefferson County Commissioner in the 2003 general election.

2. The Jefferson County Republican Central Committee is a continuing political committee.

3. Mark Rose produced and circulated a mailer or "Slim Jim," as commonly referred to by political campaigns. That Slim Jim stated that Mark Rose had been a "journalist with the New York Times and LA Times."

STIPULATION OF THE PARTIES AS TO AGREED
FACTS AND EXHIBITS - 1

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1 4. In addition to the mailer, Mark Rose made public speaking engagements and made
2 himself available for interviews by the two local newspapers, The Port Townsend Leader and The
3 Peninsula Daily News.

4 5. In October of 2003, the Jefferson County Republican Central Committee caused a
5 television ad to be prepared. The ad addressed Rose's alleged claim of attending New York
6 University; Rose's claim to be a success; and Rose's claim that he was a staff member with the Los
7 Angeles Times.

8 6. The television ad, dubbed the "Pinocchio Rose" ad, ran a total of 400 times on local
9 stations in Jefferson County from October 16 through October 26, 2003, and from October 31
10 through November 3, 2003.

11 7. Prior to airing the ad, The Jefferson County Republican Central Committee received
12 verbal information from Leola Armstrong, whose husband Bryn Armstrong, had spoken to Noel
13 Greenwood, who was an editor at the LA Times during the 1980s. Mr. Greenwood advised in a
14 writing dated October 17, 2003, that he had no recollection of Mark Rose, that he checked with a
15 number of other people who had been in the editorial department who also had no recollection of
16 Mark Rose. Mr. Greenwood also stated he had the librarian at the LA Times check the newspaper
17 historical files and could find no reference to Mark Rose. Mr. Greenwood initially reported his
18 findings orally and then confirmed it in a fax letter dated October 17, 2003. The letter also states the
19 search of personnel employment records had not been completed.

20 8. Subsequent investigations by the Public Disclosure Commission have determined that
21 Mark Rose was employed for approximately 7-1/2 months from April 26, 2002 through December 6,
22 2002 as a "copy messenger."

23 9. Ron Gregory was the Chair at the JCRCC when the "Pinocchio Rose" advertisement
24 was produced and aired. The JCRCC appointed Mr. Gregory as the lead for the advertisement
25 project. Rick Sullivan from Eurocycle LLC in Seattle, produced the Pinocchio Rose advertisement
26

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1 for the JCRCC. Mr. Gregory was the sole contact between the JCRCC and Mr. Sullivan. Mr.
2 Gregory was also the sole representative of the JCRCC responsible for the actual purchase of
3 television air time to run the Pinocchio Rose advertisement.

4 10. Shortly before October 9, 2003, Mr. Gregory purchased air time from Comcast
5 advertising sales to run the Pinocchio Rose advertisement.

6 11. The Public Disclosure Commission (PDC) staff received a complaint about the
7 advertisement from William Biery on October 17, 2003.

8 12. Mr. Biery's complaint only addresses the second allegation of the advertisement:
9 "Mark Rose claimed to be a staff member of the LA Times when all he did was write a letter to the
10 editor."

11 13. On August 27, 2003, an article in the *Port Townsend & Jefferson County Leader*
12 ("*Leader*") reported that "Rose provided the *Leader* a clip file of about two years of writing during
13 the 1980s and 1990s. Rose was a freelance contributor for the New York Times and an editorial
14 staff employee at the Los Angeles Times. In addition, he wrote a column for the New York Press, a
15 free weekly publication."

16 14. On September 3, 2003 an editor's note attached to a letter to the editor in the *Leader*
17 questioning Mr. Rose's employment with the *LA Times* stated, "In terms of his experience as a
18 journalist, we have confirmed that Mr. Rose was on the staff of the Los Angeles Times and was a
19 free-lance writer for the New York Times. He was on the staff of at least one other media outlet in
20 New York City.

21 15. On September 12, 2003 an Editor's Note to a letter to the editor from Mr. Rose,
22 appearing in the *Peninsula Daily News* stated "Peninsula Daily News has confirmed that Rose was
23 on the staff at the Los Angeles Times and wrote freelance articles that were published by the New
24 York Times."

25 16. On October 22, 2003, a *Leader* article stated that "According to LA Times Personnel
26

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1 Department, Mark Rose was an employee of that company from April 26, 1982—Dec. 6, 1982.”
2 The article also stated that Mr. Rose had provided the *Leader* a clip file that “included about six
3 pieces from the LA Times.”

4 17. The Human Resources Department of the *LA Times* confirmed in March 2004 that
5 Mark Rose was employed at the LA Times from April 26, 1982 until December 6, 1982 as a copy
6 messenger.

7
8 The parties further stipulate that the following exhibits are authentic copies of the originals.
9 The parties do not stipulate as to the truth of the contents of the Statement of Charges or the PDC
10 Staff Report of Investigation, nor to the authenticity of the exhibits attached, except as otherwise
admitted herein:

- 11 A ~~X~~ Statement of Charges
12 B ~~Z~~ PDC Staff Report of Investigation.

13 The parties further stipulate that the following exhibits are authentic and may be admitted
14 into evidence:

- 15 CA. October 17, 2003 Complaint from William Biery. ~~Exhibit I-9.~~
16 DB. August 27, 2003 Port Townsend and Jefferson Leader (“Leader”) article.
17 ~~Exhibit J-10.~~
18 ~~EC.~~ September 3, 2003 Leader letter to the editor. ~~Exhibit L-11.~~
19 FD. September 12, 2003 Peninsula Daily News article. ~~Exhibit M-12.~~
20 GE. Comcast record of cable case dates and times for Pinocchio Rose advertisement.
21 ~~Exhibit N-13.~~

- 22 1. The “Pinocchio Rose” video. Joint Exhibit ~~A~~^M-1.
23 2. Letter from Susan Marett to Sally Parker dated May 18, 2004 together with the mailer
24 from Mark Rose attached to that letter. ~~Exhibit C-3.~~
25 3. Facsimile from Sally Parker to Sarah Streiff at LA Times dated March 2, 2004,
26 authenticating employment together with response from Sarah Streiff dated March 3,
2004, and confirming letter dated July 7, 2004 from Sarah Bedinghaus HR

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Coordinator II of Los Angeles Times to Sally Parker. Exhibit ^N~~DA~~ 3

4. Note to file of Sally Parker concerning telephone conversations in the investigation of this matter. ~~Exhibit F-5~~.
5. Letter of January 14, 2004 from Ron Gregory to Phillip Stutzman attaching letter from Noel Greenwood dated October 17, 2003. ~~Exhibit F-6~~.
6. Letter dated October 23, 2003 from Susan Marett to Phil Stutzman together with copy of the article from Port Townsend Leader dated October 22, 2003. Exhibit ~~6-7~~ 6
7. Memorandum dated October 31, 2003 to Phil Stutzman from Ron Gregory concerning allegation of email publication of Pinocchio ad. ~~Exhibit H-8~~.

Dated this ^{9th} 18 day of October, 2004.

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By 

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